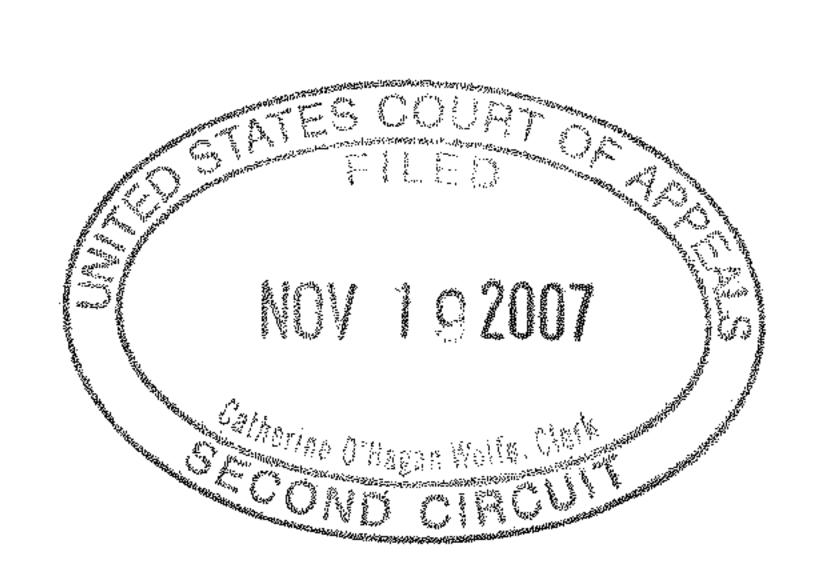
UNITED STATES COURT OF APPEALS FOR THE SECOND CIRCUIT

USA BASEBALL, THE NATIONAL HIGH SCHOOL BASEBALL COACHES ASSOCATION, DR. PETER BERG, JUAN HERNANDEZ, DENNIS CANALE, MEL ZITTER, MICHAEL CRUZ, TITO NAVARRO, JOHN TORRES, EASTON SPORTS, INC., WILSON SPORTING GOODS CO., RAWLINGS SPORTING GOODS COMPANY, and HILLERICH & BRADSBY COMPANY, INC.,



Appellants,

Docket No. 07-4137-CV

-against-

Stipulation Pursuant to F.R.A.P. 42(b)

CITY OF NEW YORK,

Appellee.

It is hereby stipulated and agreed by and between the undersigned attorneys for Appellants and Appellee that the appeal in this matter may be dismissed with prejudice pursuant to Rule 42(b) of the Federal Rules of Appellate Procedure, with any outstanding court costs or fees that may be due to be paid by Appellants.

Dated: New York, New York November 13, 2007

HONIGMAN MILLER SCHWARTZ & COHN LLP

By: David A. Ettinger (P26537)
A Member of the Firm
2290 First Naitonal Building
600 Woodward Avenue
Detroit, Michigan 48226
Telephone: 313 465-7368

Attorneys for Appellants

CERTIFIED:

11.46.01

DEWEY & LEBOEUF LLP

By: John F. Collins (JC-9324)

A Member of the Firm

1301 Avenue of the Americas New York, New York 10019 Telephone: 212 259-8000

Attorneys for Appellants

THE CITY OF NEW YORK

By: Wald Horowitz (JH8395)

Assistant Corporation Counsel
The City of New York
Law Department
100 Church Street, Room 5-189

New York, NY 100007

Telephone: 212 442-0589

Attorneys for Appellee

50 0 40 6 46 9

FOR THE COURT

Catherine/O'Hagan Wolfe, Clerk of Court

By XXX

2 Came

Stanley A. Bass, Staff Counsel

Nov. 19,2007

Catherine O Hogan Voite, Clork